

DOCKET NO. ORT-1528

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Timothy LOVENBERG and Wai-Ping LEUNG

Serial No.: 09/993,159 Art Unit: Not Assigned

Filed: 5 November 2001 Examiner: Not Assigned

For: HISTAMINE RECEPTOR H3 MODIFIED TRANSGENIC MICE

I hereby certify that this correspondence is being deposited with the
United States Postal Service as first class mail in an envelope addressed
to: Commissioner for Patents, Washington, D.C. 20231 on

30 January 2002

(Date of Deposit)

John W. Wallen, III, Esq.

(Name of applicant, assignee, or Registered Representative)

(Signature)

30 January 2002

(Date of Signature)

COPY OF PAPERS
ORIGINALLY FILED

Assistant Commissioner for Patents
BOX MISSING PARTS
Washington, D.C. 20231

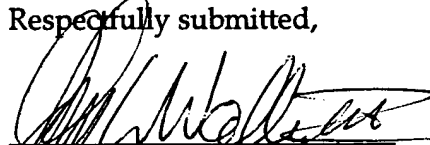
SUBMISSION OF COMBINED DECLARATION AND POWER OF ATTORNEY

Dear Sir:

Pursuant to Rule 53(f) and Rule 54, please find enclosed a Combined Declaration and Power of Attorney for the application of Timothy Lovenberg and Wai-Ping Leung, entitled "Histamine Receptor H3 Modified Transgenic Mice", Attorney Docket No. ORT-1528, to complete, pursuant to Rule 51, this application filed on 5 November 2001 by Express Mail pursuant to Rule 10. As required, a copy of the Notice to File Missing Parts of Application is also attached.

Please charge Johnson & Johnson Deposit Account No. 10-0750/ORT-1528/JWW in the amounts of \$130.00 for submission of the Declaration pursuant to Section 1.16(e). The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Account No. 10-0750/ORT-1528/JWW. This sheet is submitted in triplicate.

Respectfully submitted,



John W. Wallen, III

Reg. No. 35,403

Attorney for Applicant(s)

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
(858) 784 - 3239
Date: 30 January 2002

#3

DOCKET NO. ORT-1528



DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **HISTAMINE RECEPTOR H3 MODIFIED TRANSGENIC MICE**, the specification of which

(check one)

☒ is attached hereto.

☐ was filed on _____ as

Application Serial No. _____

and was amended on _____.

(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 (a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s):

Country	Application Number	Date of Filing	Priority Claimed Under 35 U.S.C. 119
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below:

(Application Number)

(Filing Date)

(Application Number)

(Filing Date)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.

Filing Date

Status

Application Serial No.

Filing Date

Status

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith as well as to file equivalent patent applications in countries foreign to the United States including the filing of international patent applications in accordance with the Patent Cooperation Treaty: Philip S. Johnson (Reg. #27,200) Steven P. Berman (Reg. #24,772), Andrea L. Colby (Reg.

#30,194), Michael Stark (Reg. #32,495), Ralph R. Palo (Reg. #29,486) and John W. Wallen, III (Reg. #35,403) One Johnson & Johnson Plaza, New Brunswick, NJ 08933.

Address all telephone calls to:


John W. Wallen, III at telephone no. (858) 784-3239.

Address all correspondence to:

Philip S. Johnson, One Johnson & Johnson Plaza, New Brunswick, NJ 08933-7003.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's Signature:
Full Name of Sole
or First Joint Inventor


Timothy W. Levenberg

Date:

Citizenship: U.S.A.
Residence: 13252 Courtland Terrace, San Diego, CA 92130
Post Office Address: Same as above

Inventor's Signature:
Full Name of Second Joint
Inventor, If Any


Wai-Ping Leung

Date: 12/14/01

Citizenship: Canada
Residence: 12707 Brubaker Court, San Diego, California
Post Office Address: Same as above